

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JULY JUSTINE SHELBY,

Plaintiff,

-against-

JAMES PETRUCCI, WARDEN, F.C.I.  
OTISVILLE; W.S. PLILER, WARDEN, F.C.I.  
OTISVILLE; DR. A. LINLEY, MEDICAL  
DIRECTOR F.C.I. OTISVILLE; HEALTH  
SERVICE ADMINISTRATOR MR. B. WALLS;  
OFFICE HANNAH, F.C.I. OTISVILLE;  
OFFICER Z. HURN, F.C.I. OTISVILLE;  
OFFICER CHRISTIANSEN, F.C.I. OTISVILLE;  
WARDEN WASHINGTON, M.D.C. BROOKLYN;  
DR. ALEX MCLEAREN, FEDERAL BUREAU  
OF PRISONS, DIRECTOR, WOMEN'S  
OFFENDER BUREAU, CHAIR,  
TRANSGENDER EXECUTIVE COUNCIL,

Defendants.

23-CV-4315 (KMK)

ORDER OF SERVICE

KENNETH M. KARAS, United States District Judge:

Plaintiff July Justine Shelby ("Plaintiff"), who is currently incarcerated at F.M.C. Carswell in Texas, brings this *pro se* action under the Court's federal question jurisdiction, alleging that Defendants violated her federally protected rights. By order dated July 12, 2023, the Court granted Plaintiff's request to proceed *in forma pauperis* ("IFP"), that is, without prepayment of fees.<sup>1</sup>

To allow Plaintiff, who is proceeding IFP, to effect service on Defendants through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return forms ("USM-285 forms") for Defendants: (1) Otisville Warden

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<sup>1</sup> Prisoners are not exempt from paying the full filing fee even when they have been granted permission to proceed IFP. *See* 28 U.S.C. § 1915(b)(1).

Petrucchi; (2) Otisville Warden W.S. Pliler; (3) Otisville Medical Director Dr. A. Linley; (4) Otisville Health Services Administrator Mr. Walls; (5) Otisville Officer Hannah; (6) Otisville Officer Hurn; (7) Otisville Officer Christiansen; (8) MDC Warden Washington; and (9) Dr. Alex McLearen, Federal Bureau of Prisons, Director, Women's Offender Bureau, Chair, Transgender Executive Council. The Clerk of Court is further instructed to: (1) mark the box on the USM-285 form labeled "Check for service on U.S.A." and (2) issue a summons and deliver to the Marshals Service a copy of this order and all other paperwork necessary for the Marshals Service to effect service on the United States.

It is Plaintiff's responsibility to ensure that service is made within 90 days of the date the summons is issued and, if necessary, to request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012). Plaintiff also must notify the Court in writing if Plaintiff's address changes, and the Court may dismiss the action if Plaintiff fails to do so.

### **CONCLUSION**

The Clerk of Court is directed to mail an information package to Plaintiff. The Clerk of Court is further instructed to complete the USM-285 forms with the addresses for Defendants: (1) Otisville Warden Petrucci; (2) Otisville Warden W.S. Pliler; (3) Otisville Medical Director Dr. A. Linley; (4) Otisville Health Services Administrator Mr. Walls; (5) Otisville Officer Hannah; (6) Otisville Officer Z. Hurn; (7) Otisville Officer Christiansen; (8) MDC Brooklyn Warden Washington; and (9) Dr. Alex McLearen, Federal Bureau of Prisons, Director, Women's Offender Bureau, Chair, Transgender Executive Counsel; mark the box on the USM-285 form labeled check for service on U.S.A.," issue a summons, and deliver to the Marshals Service a

copy of this order and all other paperwork necessary for the Marshals Service to effect service on the United States and all documents necessary to effect service.

SO ORDERED.

Dated: July 24, 2023  
White Plains, New York

A handwritten signature in black ink, appearing to read 'KMK', with a horizontal line extending from the end of the signature.

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KENNETH M. KARAS  
United States District Judge

**DEFENDANTS AND SERVICE ADDRESSES**

1. Warden James Petrucci  
Otisville Correctional Facility  
P.O. Box 600  
Otisville, N.Y. 10963
2. Warden W.S. Pliler  
Otisville Correctional Facility  
P.O. Box 600  
Otisville, N.Y. 10963
3. Medical Director Dr. A. Linley  
Otisville Correctional Facility  
P.O. Box 600  
Otisville, N.Y. 10963
4. Health Services Administrator Mr. B. Walls  
Otisville Correctional Facility  
P.O. Box 600  
Otisville, N.Y. 10963
5. Officer Hannah  
Otisville Correctional Facility  
P.O. Box 600  
Otisville, N.Y. 10963
6. Officer Z. Hurn  
Otisville Correctional Facility  
P.O. Box 600  
Otisville, N.Y. 10963
7. Officer Christiansen  
Otisville Correctional Facility  
P.O. Box 600  
Otisville, N.Y. 10963
8. Warden Washington  
MDC Brooklyn  
P.O. Box 3290601  
Brooklyn, N.Y. 11232
9. Dr. Alex McLearn, Federal Bureau of Prisons, Director, Women's Offender Bureau,  
Chair, Transgender Executive Counsel  
400 1st Street N.W.  
Washington, D.C. 20534